

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
) 1:01-cr-139
v.) Collier
)
STEPHEN KENDRICKS)
)

MEMORANDUM AND ORDER

Presently before the Court is a *pro se* motion, filed by defendant Stephen Kendricks (“Kendricks”), for an extension of time in which to file a motion pursuant to 28 U.S.C. § 2255 (Court File No. 170).

Kendricks was convicted by a jury on all nine counts of an indictment including two counts of armed bank robbery. Sentence was imposed pursuant to the UNITED STATES SENTENCING GUIDELINES by this Court on November 22, 2002. Kendricks appealed the district court’s denial of his motion to suppress. On July 18, 2005, the Court of Appeals for the Sixth Circuit issued its mandate affirming the district court’s Order denying Kendricks’ motion to suppress.

Kendricks has moved for an extension of time in which to file a motion under 28 U.S.C. § 2255 (Court File No. 170). Timeliness of a § 2255 motion will be addressed by the Court if and when such a motion is prepared and filed. *See United States v. Chambliss*, 145 F.3d 1334 (6th Cir. May 4, 1998)(unpublished table decision), *available in* 1998 WL 246408.

Accordingly, Kendricks’ motion for an extension of time in which to file his § 2255 motion is **DENIED** (Court File No. 170). The Clerk of Court is **DIRECTED** to send Kendricks the proper forms to file a motion pursuant to 28 U.S.C. § 2255.

Kendricks is reminded when he communicates with the Court about his case, either by letter,

motion, or otherwise, he is required to promptly serve a copy of all such communications directly upon the United States Attorney and include a certificate of service demonstrating to the Court service has been effected upon the United States Attorney.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE